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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/683,913	10/10/2003	Timothy P. Blair	200300432-1	3073
22879	7590	05/05/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			BHAT, ADITYA S	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/683,913

Applicant(s)

BLAIR ET AL.

Examiner

Aditya S. Bhat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-46 is/are allowed.
- 6) ☒ Claim(s) 1-11, 16-32 and 37-42 is/are rejected.
- 7) ☒ Claim(s) 12-15 and 33-36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-11, 16-32, and 37-42 rejected under 35 U.S.C. 102(b) as being anticipated by Narasimhan et al. (USPN 6,446,192).

With regards to claim 1, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring equipment comprising:

first means for receiving data from said equipment; (Col. 3, line 3)

second means for receiving a set of configuration data; (32;figure 1A) and

third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services. (Col.5, lines 49-62)

With regards to claim 2 and 29, Narasimhan et al. (USPN 6,446,192) discloses said third means includes:

software for processing said equipment data, said software including one or more software components, each software component for performing an optional service; (Col.5,lines 49-62)

fourth means for storing said software; (86;figure 12) and

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fifth means for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components. (72;figure 12)

With regards to claim 3, Narasimhan et al. (USPN 6,446,192) discloses fourth means is a memory. (86;figure 12)

With regards to claim 4, Narasimhan et al. (USPN 6,446,192) discloses memory is also adapted to store said configuration data. (86;figure 12)

With regards to claim 5, Narasimhan et al. (USPN 6,446,192) discloses a fifth means is a processor. (72;figure 12)

With regards to claim 6, Narasimhan et al. (USPN 6,446,192) discloses a first means includes one or more data ports. (Col.3, lines 2-3)

With regards to claim 7, Narasimhan et al. (USPN 6,446,192) discloses data ports are also adapted to transmit data to said equipment. (Col.3, lines 1-4)

With regards to claim 8, Narasimhan et al. (USPN 6,446,192) discloses second means includes a communication module. (32;figure 1A)

With regards to claim 9, Narasimhan et al. (USPN 6,446,192) discloses means for transmitting data to a remote system. (32;figure 1A)

With regards to claim 10, Narasimhan et al. (USPN 6,446,192) discloses means for receiving new or upgraded software components. (72;figure 12) (Col. 2, lines 63-64)

With regards to claim 11, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (Col. 2, lines 32-33)

With regards to claim 16, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to an Internet connection. (Col.6, line 48-51)

With regards to claim 17, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to a dial-up connection. (Col.6, line 51)

With regards to claim 18, Narasimhan et al. (USPN 6,446,192) discloses the communication module is coupled to a wireless connection. (Col.6, line 51)

With regards to claim 19, Narasimhan et al. (USPN 6,446,192) discloses the appliance is a stand-alone device separate from said equipment. (20; figure 1A)

With regards to claim 20, Narasimhan et al. (USPN 6,446,192) discloses the equipment includes one or more printers. (Col. 2, line 66)

With regards to claim 21, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring equipment comprising:

- a data port for receiving data from said equipment; (Col.3, line 3)

- a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components; (Col.1, lines 62-63)

- a memory for storing said software components; (86;figure 12)and

- a processor for executing said software components in accordance with said configuration data. (72;figure 12)

With regards to claim 22, Narasimhan et al. (USPN 6,446,192) discloses an appliance for monitoring one or more office equipment devices comprising:

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a data port for receiving data from said equipment; (Col.3, line 3)

software adapted primarily for monitoring said devices, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service; (Col.1, lines 62-63)

a communication module for receiving a set of configuration data adapted to enable or disable said software components; (90; figure 12)

a memory for storing said software; (86;figure 12)and

a processor for executing said software in accordance with said configuration data. (72;figure 12)

With regards to claim 23, Narasimhan et al. (USPN 6,446,192) discloses a system for monitoring equipment comprising:

one or more monitoring appliances adapted to monitor said equipment, each monitoring appliance including:

first means for receiving data from said equipment; (Col. 3, line 3)

second means for receiving a set of configuration data; (32;figure 1A)and

third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services; (Col.5, lines 49-62) and

fourth means for transmitting said configuration data to said monitoring appliances. (20;figure 1A)

With regards to claim 24, Narasimhan et al. (USPN 6,446,192) discloses a fourth means includes a central server. (20;figure 1A)

With regards to claim 25, Narasimhan et al. (USPN 6,446,192) discloses a central server includes a first database of configuration data for the monitoring appliances. (86;figure 12)

With regards to claim 26, Narasimhan et al. (USPN 6,446,192) discloses a user can change which services in a monitoring appliance are enabled or disabled by modifying the configuration data for that monitoring appliance stored in said first database. (Col.1, lines 62-63)

With regards to claim 27, Narasimhan et al. (USPN 6,446,192) discloses a central server includes an application for modifying the configuration data stored in said first database. (20;figure 1A)

With regards to claim 28, Narasimhan et al. (USPN 6,446,192) discloses an application is a web application. (Col. 5, lines 63-64)

With regards to claim 30, Narasimhan et al. (USPN 6,446,192) discloses a central server includes a second database of new or upgraded software components. (Col.5, lines 60-62)

With regards to claim 31, Narasimhan et al. (USPN 6,446,192) discloses monitoring appliances further include means for receiving new or upgraded software components from said central server.(Col. 1, lines 59-64)

With regards to claim 32, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (72;figure 12) (Col. 2, lines 63-64)

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With regards to claim 37, Narasimhan et al. (USPN 6,446,192) discloses a system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

a data port for receiving data from said equipment; (Col. 7, lines 39-40)

appliance software adapted primarily for monitoring said devices, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service; (Col.1, lines 62-63)

a first communication module for receiving a set of configuration data adapted to enable or disable said software components; (64; figure 12)

a first memory for storing said appliance software; (74; figure 12)and

a first processor for executing said software in accordance with said configuration data; and a central server including:

server software for controlling the communication of data to and from said monitoring appliances; (72; figure 12)

a first database of configuration data for said monitoring appliances; (86; figure 12)

a second memory for storing said server software (68; figure 12)and said first database; (86; figure 12)

a second processor for executing said server software; (66; figure 12)and

a second communication module for transmitting said configuration data to said monitoring appliances. (60; figure 12)

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With regards to claim 38, Narasimhan et al. (USPN 6,446,192) discloses an application for modifying the configuration data stored in said first database. (Col. 16, lines 17-18)

With regards to claim 39, Narasimhan et al. (USPN 6,446,192) discloses server further includes a second database of new or upgraded software components. (Col. 16, lines 17-19)

With regards to claim 40, Narasimhan et al. (USPN 6,446,192) discloses first and second communication means are also adapted to download new or upgraded software components from said central server to said monitoring appliances. (Col.2, lines 3-5)

With regards to claim 41, Narasimhan et al. (USPN 6,446,192) discloses configuration data is adapted to enable or disable a new or upgraded software component. (72;figure 12) (Col. 2, lines 63-64)

With regards to claim 42, Narasimhan et al. (USPN 6,446,192) discloses system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

a data port for receiving data from said equipment; (Col.7, lines 39-40)

a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components; (64;figure12)

a first memory for storing said software components; (74 ;figure 12) and

a first processor for executing said software components in accordance with said configuration data; (74;figure 12) and

a central server (20;figure 1A) including:

server software for controlling the communication of data to and from said monitoring appliances; (72;figure 12)

a first database of configuration data for said monitoring appliances; (86;figure 12)

a second database of software components for said monitoring appliances; (74;figure 12)

a second memory for storing said server software and said first and second databases; (68;figure 12) (86;figure 12)

a second processor for executing said server software; (66;figure 12) and

a second communication module for transmitting said configuration data and said software components to said monitoring appliances. (60;figure 12)

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter: Claims 12-15, 33-36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 12-13, 33-34 and 43-46:

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The primary reason for the allowance of claim 12 is the inclusion of: the software is adapted to restart said appliance after receiving and storing said configuration data. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 13 is the inclusion of: appliance is adapted to restart upon receiving a restart signal from said communication module. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 33 is the inclusion of: software is adapted to restart said monitoring appliance after receiving and storing said configuration data. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 34 is the inclusion of: software is adapted to restart said monitoring appliance upon receiving a restart signal from said central server. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

The primary reason for the allowance of claim 43 is the inclusion of the method steps of: restarting said monitoring appliance with said software components enabled

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for or disabled from execution in accordance with said configuration data. It is this feature found in the claim, as it is claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes this claim allowable over the prior art.

Claims 14-15 are allowed due to their dependency on claim 13.

Claims 35-36 are allowed due to their dependency on claim 34.

Claims 44-46 are allowed due to their dependency on claim 43.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Rotheroe (USPUB 2005/0075839) teaches electrical equipment monitoring, and Prorock (USPN 6,754,704) teaches methods, systems and computer program product for remote monitoring of a data processing system events.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S. Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya Bhat
April 22, 2005



John Barlow
Supervisory Patent Examiner
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